IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No.18312 of 2006 and
CWP NO.15963 of 2006

DATE OF DECISION: November 3, 2006

Lala Nemi Chand Educational Trust (Regd.)

….Petitioner

VERSUS

State of Haryana and another

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri Vikrant Sharma, Advocate for the petitioner.
Shri Ashok Jindal, Additional Advocate General, Haryana for respondent No.1.
Shri Balram K. Gupta, Senior Advocate with Shri Shireesh Gupta, Advocate for respondent No.2.

Viney Mittal,J.(Oral).

CM No.18312 of 2006

Prayer made in the present application is allowed to the extent that documents appended with the application are taken on record.

CWP NO.15963 of 2006

The petitioner Trust has approached this Court for issuance of directions to Kurukshetra University to consider and grant affiliation to the College run by the petitioner Trust for B.Ed course for the session 2006-07.

The aforesaid claim has been made by the petitioner Trust, on the basis of a recognition granted by National Council for

Teacher Education on September 29, 2006 (Annexure P.6). The petitioner Trust has further averred that NCTE had granted the aforesaid conditional recognition to the petitioner Trust subject to appointment of staff by a duly constituted Selection Committee with the requisite qualification, as per norms and standards of NCTE and affiliating University.

The learned counsel appearing for the petitioner has now relied upon the order dated October 31, 2006 (Annexure P.13) passed by Kurukshetra University, whereby the staff selected by the petitioner Trust has been ratified and accepted to be duly qualified. The learned counsel appearing for the petitioner Trust has also pointed out to the constitution of the Selection Committee (Annexure P.14).

Shri Balram K. Gupta, the learned senior counsel appearing for the University does not dispute the aforesaid facts. The factum of granting recognition by NCTE to the petitioner Trust is even conceded.

As a matter of fact, Shri Gupta has very fairly conceded that in view of ratification (Annexure P.13) by the University with regard to the teaching faculty recruited by the petitioner Trust, the petitioner Trust is duly eligible for the grant of provisional affiliation and the University shall have no objection if the College is directed to be granted a provisional affiliation because of the recognition granted by NCTE.

In view of the fair stand taken by the respondent University, we dispose of the present petition with a direction to the

respondent Kurukshetra University to grant a provisional affiliation to the College run by the petitioner Trust in terms of the recognition granted by NCTE for running B.Ed course of one year duration with effect from the session 2006-07 with an annual intake capacity of 100 students.

The present petition is disposed of accordingly.

A copy of the order be given dasti under the signatures of Special Secretary attached with this Court.

(Viney Mittal)
Judge

November 3, 2006
KD

(H.S. Bhalla)
Judge